

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	
CYE LEANCE FRASIER	:	1:23CR124-1
also known as "The Barber"	:	
CARLISSA RENE ALLEN	:	1:23CR124-2

MOTION TO CONTINUE

NOW COMES the United States of America, by Sandra J. Hairston, United States Attorney for the Middle District of North Carolina, through the undersigned Assistant United States Attorneys, and moves to continue the above-captioned case from the August 2023 Criminal Term to the September 2023 Criminal Term. In support of this motion, the government states as follows:

1. On February 23, 2023, the Drug Enforcement Administration (DEA) and the Orange County Sheriff's Office utilized a confidential informant (CI) to purchase cocaine from Cy Leance Frasier, aka "The Barber," and Carlisa Ranae Allen. The CI communicated by phone with a number known to belong to Frasier.
2. Investigators conducted surveillance and observed Allen arrive at

the meet location in her blue Toyota Rav4 vehicle. Investigators further observed the CI enter Allen's Rav4 where he bought 10.5 grams of cocaine in twenty-one dime-sized plastic baggies in exchange for \$800. As instructed, the CI later turned over the cocaine to investigators. The substance was submitted to the DEA laboratory for analysis and confirmed to be cocaine.

3. On March 9, 2023 at approximately 6:24 a.m., first responders arrived at a dormitory room on Duke University's campus in reference to a possible overdose. Upon arrival they found a young woman unconscious and immediately began administering life-saving measures. The young woman was transported to Duke University Hospital and later died. Investigators recovered a dime-sized baggy containing a white powdery substance in the deceased woman's phone case. The substance was later confirmed by the DEA lab to contain a mixture of cocaine and fentanyl.

4. Duke University student Patrick Anthony Rowland, who was present at the time, later told investigators that he and the young woman purchased the purported cocaine from a man he knew as "The Barber."<sup>1</sup> Investigators knew that Cye Leance Frasier owned and operated the Lyon's Den Barbershop in Durham and was known as "The Barber."

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<sup>1</sup> On June 8, 2023, Rowland pled guilty in MDNC case number 23CR207-1 to a violation of 21 U.S.C. §843(b).

5. Investigators obtained Duke University surveillance footage and observed the deceased woman and Rowland enter a blue Toyota Rav4 at approximately 4:33 a.m., two hours before first responders were called. According to Rowland, “The Barber” was driving the Rav4 and sold the cocaine/fentanyl in a dime-sized baggy to the deceased woman.

6. On March 10, 2023, Raleigh Police Department investigators responded to a suspected drug overdose at a residence on Bragg Street in Raleigh. Emergency Medical Services arrived and pronounced a young man deceased. Investigators recovered three dime-sized plastic baggies, one of which contained a white powdery substance, near the deceased’s body. The substance was later confirmed by the DEA lab to be a mixture of cocaine and fentanyl.

7. Investigators later reviewed the deceased’s phone which revealed text messages to and from a number known to belong to Frasier. In one particular text thread on March 4, 2023, the deceased texted Frasier for “2gs” and Frasier subsequently texted, “\$168.” Frasier then texted the deceased a phone number known to be Allen’s, followed by “Carlisa will come up.” The deceased’s phone records indicate that he subsequently made a 2-gram purchase from Frasier on March 8, 2023.

8. Based on the clear and ongoing danger presented by the

defendants' above-described drug activity, DEA Agent Scott Spragins swore out criminal complaints on March 15, 2023, in the MDNC as to Frasier (1:23MJ131-1) and Allen (1:23MJ132-1) for conspiracy to distribute cocaine hydrochloride, among other charges. The complaints were signed by the Honorable Joe L. Webster, United States Magistrate Judge.

9. Later that same day investigators arrested Frasier and Allen outside the Lyon's Den Barbershop. Allen was driving her blue Rav4 and Frasier has just entered the front passenger seat. When arrested, Allen was in possession of a loaded handgun with an extended magazine, and Frasier was carrying a backpack that contained multiple controlled substances, including approximately 7 grams of fentanyl, as confirmed by the DEA lab. Frasier was also in possession of \$12,000 in cash.

10. On March 28, 2023, Frasier and Allen were indicted by a grand jury in the Middle District of North Carolina for conspiracy to distribute cocaine, among other charges.

11. On May 30, 2023, a superseding indictment was returned amending the dates of the conspiracy in Count One and adding charges related to the defendants' arrest on March 15, 2023.

12. The United States is seriously considering a second superseding indictment charging the defendants with conspiracy to distribute

cocaine/fentanyl that resulted in death, in violation of 21 U.S.C. §§ 841(a)(1) and 846. However, the United States cannot make a final determination on that charge without the autopsy and or toxicology of the two decedents. To be clear, should those reports show the decedents died from drug overdoses, the United States intends to seek the heightened charge from the grand jury.

13. The undersigned has made formal requests to the Office of the Chief Medical Examiner for autopsy and toxicology reports related to the two deaths in this case. The undersigned has also made repeated follow up inquiries requesting the same. As of this date, the reports are not yet completed.

14. Allen is not in custody and her attorney has advised that she objects to this motion.

15. The undersigned submits that the ends of justice would be served by granting this extension, and that those ends outweigh the interest of the public and the defendants in a speedy trial. Specifically, allowing the United States more time to obtain the autopsy and or toxicology results that will likely support a second superseding indictment charging the defendants with distribution of controlled substances resulting in death(s). Accordingly, the delay occasioned by granting this request should be excluded in computing the time within which the trial in this case should commence. 18 U.S.C. §

3161(h)(7)(A).

16. Moreover, a reasonable delay in the trial is appropriate where defendants are joined for trial. 18 U.S.C. § 3161(h)(6). The United States intends to try both Frasier and Allen in a single trial. Frasier and the United States agree that a continuance for the purposes described above is appropriate, and a short delay in Allen's trial is reasonable to allow the United States and the Court to conduct a single trial in this matter.

Wherefore, the United States requests that this Court continue the above-captioned matter from the August 2023 Criminal Term to the September 2023 Criminal Term.

This, the 20<sup>th</sup> day of July, 2023.

Respectfully submitted,

SANDRA J. HAIRSTON  
United States Attorney

/S/ MICHAEL A. DeFRANCO  
Assistant United States Attorney  
NCSB #23072  
United States Attorney's Office  
Middle District of North Carolina  
101 S. Edgeworth St., 4th Floor  
Greensboro, NC 27401  
Phone: 336/333-5351

/S/ TRACY WILLIAMS-DURHAM  
Assistant United States Attorney

NYSB # 5523865  
United States Attorney's Office  
Middle District of North Carolina  
101 S. Edgeworth St., 4th Floor  
Greensboro, NC 27401  
Phone: 336/333-5351

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CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2023, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Charles L. White, Esquire

George E. Crump, III



/S/ MICHAEL A. DeFRANCO  
Assistant United States Attorney  
NCSB #23072  
United States Attorney's Office  
Middle District of North Carolina  
101 S. Edgeworth St., 4th Floor  
Greensboro, NC 27401  
Phone: 336/333-5351

/S/ TRACY WILLIAMS-DURHAM  
Assistant United States Attorney  
NYSB # 5523865  
United States Attorney's Office  
Middle District of North Carolina  
101 S. Edgeworth St., 4th Floor  
Greensboro, NC 27401  
Phone: 336/333-5351